IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.832 OF 1994

Shri Mahadeo Mansingh Tupe & Anr. ...Appellants
Vs.
Shri Popat Mansingh Tupe & Anr. ...Respondents

Mr A.V. Anturkar a/w Mr Nitin Holay for the Appellants.
Mr A.A.Kumbhakoni a/w Mr A.P. Kulkarni for the Respondents.

CORAM : A. S. OKA, J.
DATE : MARCH 22, 2006.

P.C.:

1. The Advocates appearing for the parties have tendered on record consent terms. The Advocate appearing for the Appellants states that the consent terms are signed by the Appellant Nos.1A and 1B. He states that the Appellant No.1A and Appellant No.2 are one and the same persons. He states that the Appellant No.1B is also power of attorney holder of the Appellant No.1C. He has placed a xerox copy of power of attorney executed by the Appellant No.1C in favour of the Appellant No.1B on record. He states that the power of attorney is valid and subsisting which authorises the Appellant No.1B to sign the compromise on behalf of the Appellant No.1C. The learned Advocate appearing for the Respondent Nos.1

and 2 stated that the Respondent No.1 and the Respondent No.2 have signed the consent terms. Shri A.P. Kulkarni appearing for the Respondent No.3 states that the Respondent No.3 has executed a power of attorney in favour of the Respondent No.2 to sign this compromise. He states that power of attorney is valid and subsisting and the same empowers the Respondent No.2 to enter into compromise on behalf of the Respondent No.3.

2. The Advocates appearing for the parties state that the Appellant Nos.1A, 1B, Respondent No.1 and Respondent No.2 are personally present in the Court and they accept that the contents of the consent terms are true and correct. The consent terms are taken on record and marked ‘X’ for identification. The Advocates appearing for the parties request that Appeal may be disposed of in terms of consent terms.

4. Accordingly, Appeal is disposed of in terms of consent terms. Decree be drawn accordingly.

JUDGE